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03
04 UNITED STATES DISTRICT COURT
05 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

06 LARRY J. NICHOLSON, II,) CASE NO. C08-0798-MJP-MAT
07 Plaintiff,)
08 v.) ORDER ADVISING PLAINTIFF OF
09 V. FERNANDEZ,) LOCAL RULE; RENOTING
10 Defendant.) DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT
11

12 On November 7, 2008, defendant filed a motion for summary judgment. (Dkt. No. 16).
13 The motion is noted for consideration by the Court on December 5, 2008. On November 26,
14 2008, defendant informed the Court that plaintiff had been transferred from the King County Jail
15 to the Washington Corrections Center. (Dkt. No. 23). Defendant also informed the Court that
16 the motion for summary judgment had been re-mailed to plaintiff at his new address. In light of
17 this information provided by defendant, the Court does hereby find and ORDER as follows:

18 (1) Plaintiff is advised that pursuant to Local Rule CR 41(b)(2), every time he is
19 transferred, he must advise the Court of his new address, or his lawsuit is subject to dismissal.
20 Plaintiff is fortunate that defendant has provided the Court with plaintiff's his new address. The
21 Clerk shall enter plaintiff's new address on the docket as follows:
22

ORDER ADVISING PLAINTIFF OF LOCAL RULE;
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01 Larry Nicholson
02 DOC #720567
03 Washington Corrections Center
04 P.O. Box 900
05 Shelton, WA 98584

06 (2) In order to give plaintiff time to respond to defendant's motion for summary
07 judgment, the Court on its own initiative grants plaintiff an extension of time. The Clerk shall
08 RENOTE the motion for summary judgment for consideration by the Court on December 26,
09 2008. Accordingly, plaintiff's response is due no later than **December 22, 2008**. Plaintiff is
10 reminded that pursuant to *Rand v. Rowland*, 154 F.3d 952, 962-963 (9th Cir. 1998), he must set
11 out specific facts in declarations, depositions, answers to interrogatories, or authenticated
12 documents, that contradict the facts shown in the defendant's declarations and documents and
13 show that there is a genuine issue of material fact for trial. Otherwise, plaintiff's lawsuit may be
14 dismissed. No further extensions of time will be granted absent extraordinary circumstances.

15 (3) The Clerk is directed to send a copy of this Order to plaintiff and to counsel for
16 defendant.

17 DATED this 2nd day of December, 2008.

18 
19 Mary Alice Theiler
20 United States Magistrate Judge
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